

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

CUMMINS NORTHWEST, LLC

and

Case 19-CA-32987

**MACHINISTS DISTRICT LODGE 160,
LOCAL LODGE 289**

ORDER DENYING MOTION

The Respondent's Motion for Summary Judgment is denied. The Respondent has failed to establish that there are no genuine issues of material fact and that it is entitled to judgment as a matter of law.

Dated, Washington, D.C., October 21, 2011.

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| MARK GASTON PEARCE, | CHAIRMAN |
| CRAIG BECKER, | MEMBER |
| BRIAN E. HAYES, | MEMBER |